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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,045	06/25/2003	Jamel P. Lynch JR.	5577-255	3688
46589	7590	09/21/2007		
MYERS BIGEL SIBLEY SAJOVEC P.A. PO BOX 37428 RALEIGH, NC 27627			EXAMINER TIEU, BINH KIEN	
			ART UNIT	PAPER NUMBER
			2614	
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			09/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/606,045

Applicant(s)

LYNCH ET AL.

Examiner

/BINH K. TIEU/

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4 and 9-11 is/are allowed.
- 6) ☒ Claim(s) 5, 12, 15, 16 and 19 is/are rejected.
- 7) ☒ Claim(s) 6-8, 13, 14, 17 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6/25/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 5 is rejected under 35 U.S.C. 102(e) as being anticipated by Souissi et al. (Pub. No.: US 2002/0075941).

Regarding claim 5, Souissi et al. ("Souissi") teaches a hyper scatternet comprising:

a first ad hoc piconet;

a second ad hoc piconet (i.e., cellular phones 22, etc. of piconets 19, 20 and 21, as shown in figure 1); and

a wide area network (i.e., wide area network 40 as shown in figure 2);

wherein the first and second ad hoc piconets are configured to communicate with one another via the wide area network (see paragraphs [0044] and [0055]-[0056]).

3. Claim 5 is rejected under 35 U.S.C. 102(e) as being anticipated by Fuchs et al. (Pub. No.: US 2003/0139179).

Regarding claim 5, Fuchs et al. ("Fuchs") teaches a hyper scatternet comprising:

a first ad hoc piconet (i.e., telematics devices 106 form a piconet);
a second ad hoc piconet (i.e., remote devices 104 form another piconet) (see paragraph [0046]); and
a wide area network (i.e., communication node 108);
wherein the first and second ad hoc piconets are configured to communicate with one another via the wide area network (see paragraphs [0055]-[0057]).

4. Claims 12, 15-16 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Morris et al. (Pub. No.: US 2003/0149794).

Regarding claim 12, Morris et al. ("Morris") teaches a method for connecting an ad hoc piconet with a wide area network comprising:

determining ad hoc piconet services that are available from the ad hoc piconet; and
advertising the ad hoc piconet services to the wide area network (i.e., an external network) as wide area network services (paragraphs [0018]-[0019] and [0026]).

Regarding claim 15, also note paragraph [0026].

Regarding claim 16, Morris teaches a computer program product for connecting an ad hoc piconet with a wide area network, the computer program product comprising a computer usable storage medium having computer-readable program code embodied in the medium, the computer readable program code comprising:

computer-readable program code that is configured to determine ad hoc piconet services that are available from the ad hoc piconet; and

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computer-readable program code that is configured to advertise the ad hoc piconet services to the wide area network as wide area network services (paragraphs [0018]-[0019] and [0026]).

Regarding claim 19, also note paragraph [0026].

Allowable Subject Matter

5. Claims 1-4 and 9-11 are allowed.
6. Claims 6-8, 13-14, and 17-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Van Valkenburg (Pub. No.: US 2005/0180343) teaches a method for connecting an ad hoc piconet with another ad hoc piconet comprising:

determining ad hoc piconet services that are available from the ad hoc piconet; and
advertising the ad hoc piconet services to the other ad hoc piconet.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (571) 272-7510 and E-mail address: BINH.TIEU@USPTO.GOV.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (571) 272-7499 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL CUSTOMER SERVICE FOR THE SUBSTITUTIONS OR COPIES.**

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/BINH K. TIEU/

Primary Examiner

Technology Division 2614

Date: September 2007